

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JAMES SPINA,

Petitioner,

v.

23 **CIVIL** 5885 (KMK)
JUDGMENT

UNITED STATES OF AMERICA,

Respondent.

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UNITED STATES OF AMERICA,

23 **CR** 625 (KMK)

v.

JAMES SPINA,

Defendant.

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It is, **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion & Order dated November 18, 2024, the Petition is dismissed with prejudice. Judgment is entered for Respondent in Case No. 23-CV-5885. Furthermore, the Court finds that Petitioner has not made a substantial showing of a denial of a federal right, and that appellate review is therefore not warranted, see *Tankleff v. Senkowski*, 135 F.3d 235, 241 (2d Cir. 1998); and, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal taken from the order would not be in good faith, see *Coppedge v. United States*, 369 U.S. 438, 445 (1962); accordingly, case 23cv5885 is closed.

Dated: New York, New York
November 19, 2024

DANIEL ORTIZ

Acting Clerk of Court

BY:

K. mango

Deputy Clerk